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<b>To:</b>	<b>Examiner Patrick A. Damo</b> <b>GROUP ART UNIT: 2175</b>	<b>From:</b>	Steven Fischman, Esq.
<b>Fax:</b>	571-273-8300	<b>Pages:</b>	18 (including fax cover sheet)
<b>Phone:</b>		<b>Date:</b>	April 17, 2006
<b>Re:</b>	<b>Russell L. Lewis</b> <b>U.S. Serial No. 10/619,634</b> <b>Docket: TUC920030028US1</b> <b>(16472)</b>	<b>CC:</b>	

## **RESPONSE UNDER 37 C.F.R. §1.111**

### **COMMENTS:**

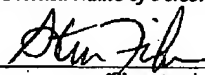
Transmitted herewith are the following:

1. Amendment Transmittal letter (in duplicate)
2. Response Under 37 C.F.R. §1.111 (13 pages)
3. Certificate of Transmission by Facsimile, dated April 17, 2006 (in duplicate)

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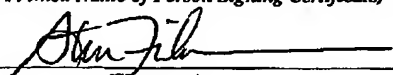
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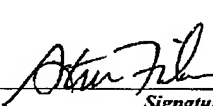
<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): <b>Russell L. Lewis</b>			Docket No. <b>TUC920030028US1 (16472)</b>	
Application No. <b>10/619,634</b>	Filing Date <b>July 15, 2003</b>	Examiner <b>Patrick A. Darno</b>	Group Art Unit <b>2163</b>	
Invention: <b>DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING GARBAGE COLLECTOR</b>				
<p>I hereby certify that this <u>Amendment and Response Under 37 C.F.R. Sec. 1.111</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u> on <u>April 17, 2006</u> (Date)</p> <p style="text-align: right;"><u>Steven Fischman</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p>				
Note: Each paper must have its own certificate of mailing.				

P18/REV02

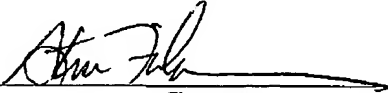
APR 17 2006

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): <b>Russell L. Lewis</b>			Docket No. <b>TUC920030028US1 (16472)</b>	
Application No. <b>10/619,634</b>	Filing Date <b>July 15, 2003</b>	Examiner <b>Patrick A. Darno</b>	Group Art Unit <b>2163</b>	
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<p>I hereby certify that this <u>Amendment and Response Under 37 C.F.R. Sec. 1.111</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u> on <u>April 17, 2006</u> (Date)</p> <p style="text-align: right;"><u>Steven Fischman</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				

P18/REV02

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				<b>Docket No.</b> TUC 920030028 US1 (16472)	
Applicant(s): <b>Russell L. Lewis</b>					
Application No. 10/619,634	Filing Date July 15, 2003	Examiner Patrick A. Darno	Customer No. 23389	Group Art Unit 2163	Confirmation No. 1229
Invention: <b>DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING GARBAGE COLLECTOR</b>					
<b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	17 -	17 =	0	x	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0449/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 Signature			Dated: April 17, 2006		
Steven Fischman Registration No. 34,594 SCULLY, SCOTT, MURPHY & PRESSER, P.C. 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date)</p><p>_____ Signature of Person Mailing Correspondence</p><p>_____ Typed or Printed Name of Person Mailing Correspondence</p></div>		
SF/BMM:ej					
CC:					

P11LARGE/REV09

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				<b>Docket No.</b> TUC 920030028 US1 (16472)	
Applicant(s): Russell L. Lewis					
Application No. 10/619,634	Filing Date July 15, 2003	Examiner Patrick A. Darno	Customer No. 23389	Group Art Unit 2163	Confirmation No. 1229
Invention: <b>DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING GARBAGE COLLECTOR</b>					
<b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	17 -	17 =	0	x	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>09-0449/IBM</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 Signature			Dated: April 17, 2006		
Steven Fischman Registration No. 34,594 SCULLY, SCOTT, MURPHY & PRESSER, P.C. 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p><p style="text-align:center;">(Date)</p><p style="text-align:center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align:center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>		
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant:** Russell L. Lewis**Examiner:** Patrick A. Darno**Serial No.:** 10/619,634**Art Unit:** 2163**Filed:** 7/15/2003**Docket:** TUC900230028US1 (16472)**For:** DEPTH COUNTER USED TO REDUCE  
NUMBER OF ITEMS TO CONSIDER  
FOR LOOP DETECTION IN A  
REFERENCE-COUNTING GARBAGE  
COLLECTOR**Dated:** April 17, 2006**Conf. No.:** 1229Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111**

Sir:

This document is submitted in response to the Non-Final Office Action mailed January 18, 2006. No new matter has been introduced.

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**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

**Dated:** April 17, 2006  
Steven Fischman